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\*NOT ADMITTED TO THE NEW YORK BAR

September 10, 2015

**Via ECF and Hand Delivery**Honorable Deborah A. Batts  
U.S. District Court for the  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 2510  
New York, New York 10007*Allied Irish Banks, P.L.C. v. Citibank, N.A.*, No. 03 Civ. 3478 (DAB)(GWG)

Dear Judge Batts:

Defendant Citibank has appointed me as lead trial counsel and asked my firm to take over the litigation of this case. We are replacing prior counsel and we filed our notices of appearance on Tuesday.

We have been in touch with Plaintiff's counsel and had discussions about the case and the schedule. Under the current schedule the Joint Pre-Trial Statement is due on October 16, 2016 but counsel has graciously agreed as a professional courtesy to a 31 day extension, which would make the JPTS (and accompanying memoranda) due on November 16, subject of course to Your Honor's approval. We respectfully request that Your Honor grant this brief adjournment.

Separately, we received today Your Honor's order scheduling the trial for January 25, 2016. We are preparing diligently for that date but I want to alert the Court

Honorable Deborah A. Batts

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to one potential issue. Currently, I am scheduled for trial in the case *In re BP plc Securities Litigation* before Judge Ellison in the Southern District of Texas on January 11, 2016. That date has been set for some time and the Fifth Circuit on September 8 affirmed the District Court's certification of the class. There are, however, some issues that remain, including summary judgment, so there is a possibility that the Texas trial date may move. In the event that it does not, however, I will have a scheduling conflict and will need to ask Your Honor to reschedule the trial in this matter. Plaintiff's counsel has advised that they would strenuously oppose such a request. We hope this potential conflict with the January 25 trial date will be mooted and that we will not have to ask for any adjournment. We are moving forward to prepare the case for trial on January 25 per your order. I will keep the Court advised of developments in the Texas case and, in the event we do need to make an application we will do so promptly.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script, reading "Theodore V. Wells, Jr." with a stylized flourish at the end.

Theodore V. Wells, Jr.

cc: Alan Levine  
Counsel for Plaintiffs

Thomas J. Moloney (via e-mail)  
Counsel of Record for Citibank